

## REMARKS

Claims 1-9 are pending in the above-identified application and have been rejected in the most recent Office Action. Claims 1 and 2 have been amended herein and new claims 10-12 have been added. Applicant respectfully traverses each ground of rejection and requests reconsideration and further examination of the application. Applicant responds to each ground of rejection as follows.

- A. Claims 1-9 were rejected under 35 U.S.C § 103(a) as being unpatentable over Merry (U.S. Patent No. 5,524,531 in view of Hullhorst et al. (U.S. Patent No. 3,499,261).**

Merry discloses a method of compacting flat, stacked cotton articles for shipping. Merry further discloses reducing the volume of the articles through the application of compaction pressures from 5 to 5000 psi. (See Test Results table, col. 4.) Merry further discloses that the compacted articles may be manually and singularly handled and that the articles will regain their original dimensions. (See col. 3, lines 57-61.) Hullhorst et al. discloses wrapping compacted fibrous bats with a sleeve or bag of packaging material, such as kraft paper. (See col. 4, lines 36-47, col. 6, lines 48-53 and col. 8, lines 7-9 and 22-46.) Hullhorst further discloses that packages of compressed fibrous materials expand in the mold and teaches the use of positive air pressure from plenums to aid in the removal of expanded packages from the mold. (See col. 6, lines 63-75, col. 7, lines 1-3, and col. 8, lines 22-46.)

Claim 1 has been amended to include the elements of “gusseting the compressed mass” and “wherein the gusseting assists in retention of the substantially orthorhombic parallelepiped-shape”. Neither Merry nor Hullhorst disclose these elements. Merry merely discloses a method of compressing clothing articles, but does not address the issue of packaging the compressed clothing articles. Hullhorst specifically discloses applying a paper wrapping to compressed fibrous articles, but also discloses that such wrapped articles expand to press against the mold. Hullhorst further teaches that positive air pressure is required to remove the packaged materials from the mold without tearing the wrapping. In contrast, claim 1 requires gusseting the compressed mass, wherein the gusseting assists in retention of the substantially orthorhombic parallelepiped-shape. Neither Merry nor Hullhorst, alone or in combination, disclose or suggest gusseting a compressed mass such that a substantially orthorhombic parallelepiped-shape may be retained.

To establish a prima facie case of obviousness, three criteria must be met. First, there must be some suggestion or motivation to modify the reference or combine the reference teachings. Second, there must be a reasonable expectation of success. Third, the prior art references must teach or suggest all of the claim limitations. MPEP § 706.02(j). Neither of the above references teach or suggest packaging and gusseting compressed materials such that a particular shape, such as a substantially orthorhombic parallelepiped block, may be retained after removal from a die. Therefore, a combination of the above-cited references of record does not include all of the elements and limitations

of Applicant's claim 1, as amended, and a prima facie case of obviousness has not been made. It is therefore respectfully submitted that Applicant's claim 1 is allowable over the above-cited art. It is respectfully requested that the above rejection be withdrawn.

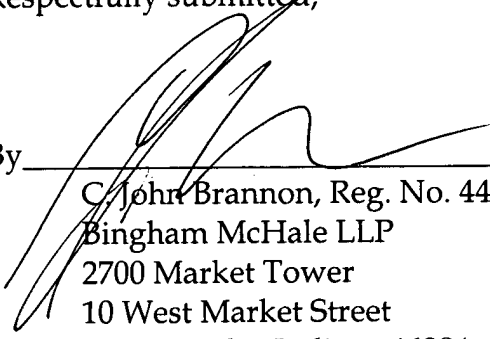
Claims 2-9 depend from claim 1, and therefore include all of the elements and limitations of claim 1. It is therefore respectfully submitted that claims 2-9 are allowable over the references of record for at least the same reasons as set forth regarding claim 1 above.

### CONCLUSION

Applicant has amended claim 1 and has added new claims 10-12. Applicant respectfully requests a Notice of Allowance for pending claims 1-12. The undersigned welcomes a telephonic interview with the Examiner, if the Examiner believes that such an interview would facilitate review of this Amendment Response.

Respectfully submitted,

By



C. John Brannon, Reg. No. 44,557  
Bingham McHale LLP  
2700 Market Tower  
10 West Market Street  
Indianapolis, Indiana 46204  
(317) 968-5360